

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

GREGORY PEVETO,

Plaintiff,

v.

INVISTA S.A. R.L, *et al.*,

Defendants.

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Civil Action No. 1:16-CV-3

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The Court referred this case to United States Magistrate Judge Keith F. Giblin for pretrial matters pursuant to 28 U.S.C. § 636 and the Local Rules for the United States District Court for the Eastern District of Texas. On August 19, 2016, Judge Giblin issued his report (Doc. No. #14) containing proposed findings of fact and recommendations. Judge Giblin specifically recommended that the Court deny the plaintiff's motion to remand and motion for leave to amend his state court petition. He also recommended that defendants Raul Trochez and Nicole Daniel be dismissed without prejudice as improperly joined.

Having received the report of the United States Magistrate Judge, and no objections having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that the plaintiff's motion to remand (Doc. No. 5) and motion for leave to amend (Doc. No. 3) are **DENIED** for the reasons recommended by Judge Giblin.

The Court further **ORDERS** that Plaintiff's claims against the defendants Raul Trochez and Nicole Daniel are **DISMISSED**, without prejudice. The Clerk is directed to terminate Trochez and Daniel as active party defendants.

**So Ordered and Signed**

Sep 14, 2016

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge